

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

July 9, 2019

A regular meeting of the Kirkwood Town Board was held on July 9, 2019 at 6:45 PM at the Joseph A. Griffin Town Hall with Supervisor Gordon Kniffen presiding.

Present: Supervisor Gordon Kniffen
Councilman Robert Weingartner
Councilman Lewis Grubham
Councilman William Diffendorf, Jr.
Councilwoman Linda Yonchuk

Also Present: Robert McKertich, Attorney
Gayle Diffendorf, Town Clerk
John A. Finch Jr., Commissioner of Public Works
Marchie Diffendorf, Planning Bd. Chairman

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: June 4, 2019 Town Board Meeting

PUBLIC PARTICIPATION:

Comprehensive Plan.

Larry Holt said I was under the impression you were going to talk about the Comprehensive Plan. Supervisor Kniffen responded we already adopted the Comprehensive Plan and this is a piece of that which involves code changes, law changes, etc. so now we have to re-advertise for it. Councilman Grubham added it probably won't be for another two months.

Drainage Issues.

Supervisor Kniffen said the last time Larry was here, he was concerned about the water on Trim Street and at first we thought it would be DOT, but it was the County who came up. Larry said he hasn't heard back from the County, although he saw a County truck go up Trim Street but they didn't do anything with the basin or the ditches.

Guardrails at Valley Park.

In response to Councilman Diffendorf, Mr. Finch said I talked to Tom Kline about the guardrails yesterday and he's still waiting to hear from the department that deals with the guardrails.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Councilman Grubham reported we've put all the bushes back in at the Memorial at Veterans River Park. We will probably have to replace the wall next year since its borderline now. It will probably cost a fair amount of money and we've already spent money doing this.

Upper Court Street.

Supervisor Kniffen explained that over the years we've tried to get DOT to help us. In 1999 they were going to do all kinds of things, curbs, sidewalks, lights, changing the vehicle lanes, etc. and at that time it was estimated at \$3 million. They got us all excited and then said we don't have the money. Through the years we've been trying to get something done and some of it we've done on our own. We had our Code Department get involved, all the way back to Ken Newberry, and got things done there that people probably forgot about. Chad Moran, our current Code Officer, is doing a great job. He got Lechners to clean up by taking out about 25 unlicensed junk cars and we had the Land Bank remove the Kasmarcik building. We are a member of the BMTS (Binghamton Metropolitan Traffic Study) and they decide what roads are going to be taken care of. Normally the larger municipalities get the attention like Vestal and the City of Binghamton. We spoke up at different meetings about Upper Court Street and through the years they told us we don't have the money but maybe you can get grant money, etc. We thought maybe, as an alternative at least, we could get the corner of Colesville Road and

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Route 11 cleaned up where the old motel is and where DOT stores materials. That's a real sore spot for us. That creek floods and some time ago we asked DOT to study that and instead of a right turn, take the creek down Route 11 the other way. They studied it and said it would be \$3 million but we don't have the money. We did make a case when we said we do agree with the work being done in the larger municipalities but we're also part of Broome County and we need attention too. We met with the new DOT Director today to see what can be done. We heard there was \$900 million appropriated by the federal government to do road work and that each state could apply for \$90 million, so we thought that was money that hadn't been counted on. The Director told us that's not the case, that we're not going to get that so don't plan on it. In the meantime at the last BMTS meeting the County Executive was there and we mentioned that we would like the motel removed, that it would cost \$200,000, and we don't have the money to do it. After the last quarterly meeting with the County the County Executive said we've thought about that and the County is going to remove it, probably by fall. That's a big plus and we can claim a little victory there. We've asked DOT if they can move from where they are at the corner of Colesville Road, but they have to have a place to move to, so we've got someone looking at that. We asked them in the least if they are going to stay there if they would clean it up and maybe put everything on half of the property. They are looking at that.

In regard to the traffic study, Supervisor Kniffen said there are four lanes there now, we could look at going to three lanes and it would give us some room where all the businesses are close to the roadway. There wouldn't be any sidewalks and curbs. We asked our town Engineer to take a look at it. That's something the State could help us out with. Councilman Grubham said in seven to eight years from now their plan is to resurface the road and they would do that at that time. In the meantime maybe we could get something started along the edges. Supervisor Kniffen said maybe we could get that time frame negotiated.

OLD BUSINESS:

Councilwoman Yonchuk moved to adopt resolution hiring Jake Tutko as Laborer to work in the Parks Department effective July 10, 2019 until September 30, 2019 at a rate of pay of \$12.82 per hour. Councilman Diffendorf seconded.

111-19
Hire J. Tutko
Parks Laborer

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution transferring Brian Kinney from Laborer to Water/Wastewater Maintainer and increase his salary from \$17.75 per hour to \$18.25 per hour effective January 3, 2019. Councilman Grubham seconded.

112-19
B. Kinney
Salary Inc.
New Title
W/WM

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

MOTION CARRIED.

Councilman Grubham moved to adopt resolution referring application of Lester Siedel for a Change in Zoning to the Town of Kirkwood Planning Board for a recommendation. Councilman Weingartner seconded.

113-19
Refer Siedel
Zoning Change
Request to
PL Bd

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

MOTION CARRIED.

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Councilman Weingartner moved to adopt resolution adopting the Short Environmental Assessment Form regarding the Fairview Avenue Easement, in accordance with the attached Short EAF. Councilwoman Yonchuk seconded.

114-19
Adopt Short
EAF
Fairview Ave
Easement

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

MOTION CARRIED.

Councilwoman Yonchuk moved to adopt resolution approving the acquisition of an easement near Fairview Avenue, in accordance with the attached resolution. Councilman Diffendorf seconded.

115-19
Approve
Fairview Ave
Easement
Acquisition

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution authorizing Chad Moran to attend the STBOA Training at the Big Flats Community Center, Big Flats, NY on August 7, 2019 at a cost of \$35.00, with all reasonable expenses paid. Councilman Grubham seconded.

116-19
C. Moran
Education

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

MOTION CARRIED.

NEW BUSINESS:

Councilman Diffendorf moved to adopt resolution awarding Sealed Bid for the Johnson Road Culvert Replacement Project to Bothar Construction, LLC, being the lowest responsible bidder at \$82,434.00, subject to the Engineer's review for compliance with the bid specifications. Councilman Grubham seconded.

117-19
Award
Johnson Rd
Culvert Bid

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

MOTION CARRIED.

Councilman Grubham moved to adopt resolution to appoint Scott Snyder to the position of Assessor for a six-year term beginning October 1, 2019 and ending September 30, 2025. Councilman Weingartner seconded.

118-19
Appoint S.
Snyder
Assessor

Discussion: Supervisor Kniffen said Assessors all have to be appointed for six-year terms.

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

MOTION CARRIED.

AUDIT AND PAYMENT OF CLAIMS:

Councilman Grubham moved to adopt resolution authorizing the audit and payment of the following claims: General and Highway Funds, Special Districts (Fire, Light, Water and Sewer Districts), Professional Services, Capital Projects and Reserve Funds claims # 192760 through # 192951 in the total amount of \$ 493,498.75, which includes prepaid claims as authorized by resolution adopted January 2, 2019. Councilman Weingartner seconded.

119-19
Audit/Pay

Roll Call Vote: Councilman Weingartner - yes

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Councilman Grubham - yes
Councilwoman Yonchuk - yes
Councilman Diffendorf - yes
Supervisor Kniffen - yes

MOTION CARRIED.

OTHER:

Supervisor Kniffen reported that we've been trying to buy the 20 Mary Street property since we bought the Armstrong property because we want a direct route to it. It went out to bid and the only bidder was the bank so we've been working with the bank and they are looking at certain paperwork which should be done by next week and they will consider our situation and our need to buy that property.

Councilman Diffendorf moved to adopt resolution to adjourn this meeting to conduct an Executive Session pursuant to section 105, paragraph f of the Public Officers Law to discuss a matter relating to the appointment of a particular person. Councilwoman Yonchuk seconded. All voted in favor.

MOTION CARRIED.

Following the Executive Session, the Meeting was reconvened at 7:18 PM.

ADJOURNMENT:

Councilman Weingartner moved to adopt resolution to adjourn the meeting. Councilman Diffendorf seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 7:19 P.M.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk

120-19
Exec. Sess.